

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

PRINCE MCCOY, SR. §  
VS. § CIVIL ACTION NO. 1:21-CV-175  
ERIC NOMO, ET AL. §

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Prince McCoy, Sr., a prisoner confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Eric Nomo, Martin Arellano, Taofilk Aileru, Kerry Redus, Rodriguez, Jared Oneal, and Alonzo Turner.

The Court ordered that this matter be referred to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends denying Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and the pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation.

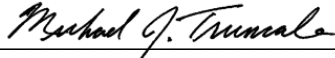
The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the objections are without merit. Plaintiff requested injunctive relief requiring the law library supervisor and the warden, who are not defendants to this action, to allow Plaintiff to attend specific

law library sessions. Plaintiff is not entitled to injunctive relief because he has not shown a substantial threat of irreparable harm if injunctive relief is not granted. Plaintiff alleges he is able to attend two of the three law library sessions. Plaintiff has not demonstrated that his inability to attend one of the three sessions has adversely affected his ability to litigate this action.

ORDER

Accordingly, Plaintiff's objections [Dkt. 61] are OVERRULED. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge [Dkt. 55] is ADOPTED. Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order [Dkt. 22] is DENIED.

**SIGNED** this 6th day of September, 2022.

  
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Michael J. Truncala  
United States District Judge